

EXHIBIT 10

**To
PLAINTIFF NICOLE HARRIS'S MOTION TO COMPEL DISCOVERY
RESPONSES FROM THE CITY OF CHICAGO**

November 2, 2015

Case No. 1:14-cv-4391

Use of Chicago police polygraphs down in face of false confessions



Examiners focusing on giving 'lie-detector' tests to job candidates

November 29, 2013 | By Duaa Eldeib, Chicago Tribune reporter

Recommend { 39 } Tweet { 5 }

1195 { g+1 } 1

After decades of relying on controversial polygraph examinations to help solve crimes, the Chicago Police Department has drastically scaled back on giving so-called lie-detector tests in the course of criminal investigations.

In what appears to be a shift in focus, the department's polygraph unit examiners, who previously worked under the forensic services division, have been relocated to human resources , where their primary responsibility is administering the tests to police officer candidates . The examiners' new unit follows industry standards for conducting polygraphs.

Daily Routine for Knees

instaflex.com/advanced

Doctors reveal the secret to better knees & joints - Do this daily!

The move was said to be temporary, but one year later, the examiners are still with the personnel unit.

"The temporary detail was made to address the backlog in pre-employment screenings needs," police spokesman Adam Collins said. "There hasn't been a move away from polygraphs as a part of criminal investigations."

Collins did not say how long the three examiners would remain with human resources, which has seen a significant increase in the number of pre-employment polygraphs. He said only that it would be "until the need has been met." The examiners continue to conduct criminal polygraphs as the need arises, Collins said.

Set the number of criminal polygraphs has dropped considerably, from about 400 in 2011 to 50 in the first eight months of 2013.

The timing of the examiners' move to the personnel unit corresponded with a Tribune investigation (<http://www.chicagotribune.com/ct-met-polygraph-confessions-20130310,0,57552.story>) into the polygraph unit's role in obtaining false confessions. Critics decried the department's use of polygraphs, claiming the examiners employed it as an interrogation prop to extract confessions. Some detractors also questioned the validity of the polygraph itself, calling it junk science. Polygraphs have played a role in several Chicago murder prosecutions that unraveled.

At the time of the Tribune's investigation, published in March, police extolled the polygraph as a valuable investigative tool in criminal cases.

But the Tribune found that Chicago police did not adhere to voluntary published standards for how polygraphs are administered or scored. For example, major industry groups strongly encourage numerical scoring of polygraph exams, but it wasn't until 2012 that Chicago police said their examiners had recently begun employing the practice. Before that, one examiner agreed in a sworn deposition that he scored a test simply by "eyeballing it."

The Tribune also found that the city has paid out millions of dollars in damages in polygraph-related cases. The Tribune examined the role of the polygraph unit in the cases of six defendants who went on to be cleared — five of whom were charged with murder.

One of them was Chicago mother Nicole Harris, who had been convicted in 2005 of murdering her 4-year-old son. A federal appeals court overturned her conviction, and her case was dismissed in June after the Cook County state's attorney's office completed a comprehensive reinvestigation.

"We do not believe that it would be in the interest of justice to proceed on this matter," State's Attorney Anita Alvarez said in a statement at the time.

Police Report Worksheet

policereport.rocketlawyer.com

Free Police Report. All States. Free to Print,
Save, & Download!

Harris claimed she falsely confessed to Chicago police examiner Robert Bartik only after he berated her and told her she had failed the polygraph exam, though police records show the test was inconclusive.

Bartik, who in court records denied those claims, declined to comment.

in their role handling pre-employment polygraphs, the examiners now report to a supervisor who is a licensed polygraph examiner, and written procedures dictate that the examiners comply with professional standards, according to police records and officials.

Steven Drizin, a law professor at Northwestern University and expert in false confessions, was part of the team from the university's Center on Wrongful Convictions that represented Harris in her appeal.

Drizin said he believes the department's decision to shift the focus of the examiners "is an admission that their presence in criminal cases, especially homicide cases, is a liability to the prosecution."

"There are legions of false confessions that came about as a result of the introduction of false polygraph results during the course of an interrogation," he added.

The defendants who were later cleared said they had believed the polygraph was a scientific test that would confirm their innocence. They said police told them a polygraph could prove if they were telling the truth. Instead, they alleged that the polygraph examiners manipulated them into falsely confessing and in one case made up a confession.

Collins said the department has not changed its philosophy regarding criminal polygraphs. The decision to move the examiners to the personnel unit was made in October 2012, and the examiners began in the personnel unit the following month, he said. At the time the Tribune's investigation was published months later, department officials denied the unit's focus or responsibilities had shifted.

Police Interrogation Room

mobile-vision.com/interviewroom

Solve The Case With Confidence. File And Easily Retrieve Evidence.

1 | 2 (/2013-11-29/news/ct-chicago-police-polygraph-unit-met-20131129_1_polygraphs-

examiners-chicago-police-department/2) | Next (/2013-11-29/news/ct-chicago-police-

utm_content=thumbnails-f:Below Article Thumbnails - Archives:)
utm_content=thumbnails-f:Below Article Thumbnails - Archives:)
 polygraph-unit-met-20131129_1_polygraphs-examiners-chicago-police-department/2)
From the Web

(https://ad.doubleclick.net/ddm/trackclk/N59901.1006845TABOOLA.COM/E

What Keeps Technology Leaders Up at Night? Find Out
Travelers

(https://ad.doubleclick.net/ddm/trackclk/N59901.1006845TABOOLA.COM/E
 (http://www.nextadvisor.com/blog/2015/01/02/chase-slate-best-bet-for-

chicagotribune)

Transferring your credit card balance is proving to be a very smart move for most

NextAdvisor

(http://www.nextadvisor.com/blog/2015/01/02/chase-slate-best-bet-for-balance-transfers/?kw=tbla_dsk_chsltb6-44&site=tribunedigital-chicagotribune)

(http://track.pathstat.com/607f55b6-4d8d-4737-a071-b13f34c2ea1f?image=auto-80&headline=DriversSurprisedRule&site=tribunedigital-chicagotribune)

Drivers Surprised They Never Knew This Rule

Provide-Savings Insurance Quotes

(http://track.pathstat.com/607f55b6-4d8d-4737-a071-b13f34c2ea1f?image=auto-80&headline=DriversSurprisedRule&site=tribunedigital-chicagotribune)

(http://www.fool.com/mms/mark/video-wearable/?utm_source=taboola&utm_medium=contentmarketing&utm_campaign=wea

Forget The iPhone 7. Next Apple Sensation Leaked

The Motley Fool

(http://www.fool.com/mms/mark/video-wearable/?utm_source=taboola&utm_medium=contentmarketing&utm_campaign=wea
(http://ad.doubleclick.net/ddm/clk/291344347;118547794;s)

The Key Financial Indicators of a Healthy Business

American Express OPEN

(http://ad.doubleclick.net/ddm/clk/291344347;118547794;s)
(https://blog.personalcapital.com/financial-planning-2/americas-rich-wasting-financial-potential/?utm_campaign=Q3Content CampaignJuly 2015&utm_source=Taboola&utm_medium=Content-Promo&utm_term=Why+are+high-earners+living+paycheck+to+paycheck%3F-tribunedigital-chicagotribune&utm_content=https%3A%2F%2Fwww.personalcapital.com%2Fcreatives%2Ftaboola%2Fpc_retirement_600X500.png)

Why are high-earners living paycheck to paycheck?

Personal Capital

(https://blog.personalcapital.com/financial-planning-2/americas-rich-wasting-financial-potential/?utm_campaign=Q3Content CampaignJuly

Promo&utm_term=Why+are+high-
earners+living+paycheck+to+paycheck%3F-tribunedigital-
chicagotribune&utm_content=https%3A%2F%2Fwww.personalcapital.com%2
creatives%2Ftaboola%2Fpc_retirement_600X500.png)
(http://www.discovercarebelieve.org/discover-our-cancer-research?
utm_source=taboola&utm_medium=referral)

Report: Childhood Brain Tumor Discoveries May Have Far-Reaching Impact

Dana-Farber Cancer Institute

(http://www.discovercarebelieve.org/discover-our-cancer-research?
utm_source=taboola&utm_medium=referral)
(https://ad.atdmt.com/c/go;p=11022202176612;ev.a=1)

Ruin Your Teenager's House Party Even When You're Away

AT&T Digital Life

(https://ad.atdmt.com/c/go;p=11022202176612;ev.a=1)

MORE:

Princess Grace's Fatal Crash: Her Daughter's Account (/1989-10-23/features/8901240679_1_chauffeur-prince-rainier-monaco)

Pain relievers: What are the differences? (/2011-01-13/news/sc-health-0112-pain-reliever-differen20110113_1_alcohol-warning-chronic-pain-tylenol)

Life Skill #201: Washing a baseball cap (/2013-08-06/features/sc-fam-0806-lifeskill-wash-cap-20130806_1_hat-brim-wool)

Dog Appears To Cry Real Tears, But Link To Emotions Is Unproven (/1998-05-24/news/9805240415_1_dr-nicholas-dodman-dogs-pets)

10 reasons why you want the job (/2013-09-29/jobs/sns-201301161600--tms--careersntp--h-a20130123-20130123_1_job-interviewer-10-reasons)

Complications common for adults after tonsillectomy (/2014-04-10/lifestyle/sns-rt-us-adults-tonsillectomy-20140410_1_tonsillectomy-patients-pain)